

It is believed there is a typographical error in the Advisory Action in the third and fourth paragraphs on page 2: Those paragraphs indicate that Claim 66 would raise new issues not previously addressed and would require more than a cursory review and that Claim 66 does not have the limitations of Claim 1. It should be noted that the subject matter claimed in Claim 66 has been present in this case since the Response to the first Office Action dated May 20, 1991 (see original Claim 57 for which Claim 66 has been substituted). This claim contains all the limitations of Claim 1. It merely claims five specific species of the microorganisms set forth in Claim 1. Therefore, it is believed to be appropriate and allowable as dependent on Claim 1.

It is believed that pending Claims 1, 2-4, 6-7, 53-55 and 66 are now in condition for allowance and the Examiner is requested to pass this case to issue. As the sixth month period for response to the Final Action of July 30, 1991 expires on January 30, 1992, Applicant requests that the Examiner advise Applicant by telephone that the case is in condition for allowance.

It is not believed that any fees are owed, for extension of time or otherwise. However, if a fee is owed for extension of time or for other fee, Applicant hereby petitions for the appropriate extension of time and requests that Deposit Account 19-1970 be debited for the appropriate amount.

Applicant has attempted to contact Examiner Robinson to cancel these claims by Examiner Amendment, but has been unsuccessful. If Examiner Robinson should have any questions, Applicant respectfully requests that Examiner Robinson contact Applicant's attorney,

Michael Tompkins, at (303) 863-2969 at his earliest convenience in order to resolve this matter before the January 30, 1991 deadline.

Respectfully submitted,

SHERIDAN ROSS & MCINTOSH

By: 

Michael L. Tompkins
Registration No: 30,980
1700 Lincoln Street, Suite 3500
Denver, Colorado 80203
(303) 863-9700

Date: 1/21/92

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